DOCUMENT RESUME

ED 384 449 RC 019 972

TITLE A Comprehensive Plan for the Education of America's Migrant Children through Elementary and Secondary Education Programs Scheduled for Reauthorization in 1993. For the Consideration of Congress and the President of the United States.

INSTITUTION National Association of Migrant Educators, Sunnyside, WA.

PUB DATE [93]

NOTE 41p.

PUB TYPE Legal/Legislative/Regulatory Materials (090)

EDRS PRICE MF01/PC02 Plus Postage.

DESCRIPTORS *Educational Legislation; Elementary Secondary Education; *Federal Aid; Federal Legislation; *Federal Programs; *Migrant Education; Migrant Programs

IDENTIFIERS *Education Consolidation Improvement Act Chapter 1; Migrant Education Program

ABSTRACT

The National Association of Migrant Educators (NAME) presents recommendations for the 1993 reauthorization of federally supported educational programs serving migrant children. These recommendations entail a comprehensive strategy for helping migrant children attain national education goals, and reflect findings of national studies as well as suggestions from grassroots practitioners throughout the nation. Recommendations for change include: (1) focusing funding and services on currently migratory children through changes in funding formulas; (2) requiring state education agencies to develop comprehensive statewide plans for migrant programs and services; (3) providing minimum funding to every state; (4) utilizing the Migrant Student Record Transfer System in a more effective manner; (5) informing migrant parents of school policies and student rights; (6) specifying major goals of the Migrant Education Program and improving evaluation; (7) assuring equitable treatment for migrant children in all school activities, programs, and policies; (8) establishing a national secondary student services center; and (9) establishing a national instructional television service for migrant students. NAME also recommends an express set-aside for migrant students in various federal programs such as Bilingual Education, the Eisenhower Math and Science Program, and the Javits Gifted and Talented Program. Also recommended are that several fundamental features of the Migrant Education Program be renewed without change. This document provides the specific legislative language to achieve each recommendation, along with supporting rationale. (SV)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

FOR THE CONSIDERATION OF CONGRESS AND THE PRESIDENT OF THE UNITED STATES

ED 384 449

"PERMISSION TO REPRODUCE THIS MATERIAL HAS BEEN GRANTED BY

Ignacio Resendez

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)."

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

- [x] This document has been reproduced as received from the person or organization originating it
- [ ] Minor changes have been made to improve reproduction quality

• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy

A COMPREHENSIVE PLAN FOR THE EDUCATION OF AMERICA'S MIGRANT CHILDREN

THROUGH ELEMENTARY AND SECONDARY EDUCATION PROGRAMS SCHEDULED FOR REAUTHORIZATION IN 1993

PRESENTED BY THE NATIONAL ASSOCIATION OF MIGRANT EDUCATORS

Advocates for America's Most At Risk Children and Youth

Ignacio "Joe" Resendez, President
Dr. Tadeo Reyna, President-Elect
Winford "Joe" Miller, Consultant
Vidal A. "Vic" Rivera, Consultant
Al Wright, Treasurer

RC 019972

BEST COPY AVAILABLE

A Responsible and Responsive

The National Association of Migrant Education is honored to present to the Congress and the President of the United States its recommendations for the 1993 reauthorization of Federally-supported Elementary and Secondary Education programs serving the children of America s migrant farmworkers, some three-quarters of a million children whom we consider the most at-risk of all student populations.

N.A.M.E. believes that these are the only comprehensive recommendations advanced by any organization on behalf of these children which

- *fully reflect the findings and the recommendations of the National Commission on Migrant Education and the study conducted by Research Triangle Institute for the U. S. Department of Education,*
- *present a comprehensive strategy for helping migrant children share in the attainment of the National Education Goals for the Year 2000 and the expectations for these children embraced by the Migrant Education community,*
- *reflect contributions and suggestions from grassroots-level practitioners throughout the nation, and*
- *expand the overall perspective of the Federal role from that of a single categorical program to that of facilitator for accessing all educational services and building capacity of schools to address the needs of migrant children.*

These recommendations include a number of innovative approaches to problems and challenges facing educators of migrant children. Among these are the following:

- *Focus funding and services on* ***currently*** *migratory children, as recommended by the National Commission, by switching from a full-time equivalent count to an actual student count as the basis for allocations. The recommended strategy will raise entitlements for all programs while ensuring that funds are available to address the priority group—children who are actively migrating.*
- *Transition formerly migrant students over time into other appropriate programs and services.*
- *Require State Education Agencies, with full backing of state school chiefs, to provide leadership and advocacy for migrant children, developing comprehensive statewide plans to provide access to all programs and services.*
- *Provide minimum funding to every state to ensure capacity for statewide leadership and identification of migrant children.*
- *Utilize the Migrant Student Record Transfer System effectively to record and transfer information to benefit students, and involve mainstream educators and parents.*
- *Inform migrant parents of school policies and the rights of their children as they move from school to school.*
- *Specify the major goals and purposes of the Migrant Education Program and link evaluation to needs assessment, targeting of services, and attainment of goals.*

Plan of Action

- *Assure equitable treatment for all migrant children in all school activities, programs, and policies.*
- *Establish permanent secondary student services center to facilitate interstate transfer of credit and provide other services to secondary students.*
- *Establish a national instructional television service for migrant children to provide continuity —and assured high quality of education*

The Association also recommends that a portion of funding for numerous elementary and secondary programs be set aside expressly for migrant students, based on the successful implementation of the set-aside within the Even Start program. Programs in which a set-aside would facilitate access for migrant students include Bilingual Education, the Eisenhower Math/Science program, and the Javits Gifted/Talented program.

N.A.M.E. also recommends that several fundamental features of the Migrant Education Program be renewed without substantive change. These include:

- *Continue Migrant Education as a Part or Subpart under Chapter 1.*
- *Preserve the flexibility which permits educators to be creative and innovative in designing programs and services for migrant children.*
- *Continue requirements for coordination with other programs serving migrant populations.*
- *Continue requirements for consultation with parents in planning programs and services.*
- *Continue the set-aside for coordination activities (Section 1203), but focus on interstate coordination and strengthen statutory language to ensure original purposes are carried out.*

N.A.M.E. REAUTHORIZATION TASK FORCE

Ignacio "Joe" Resendez, President
Director, State MSRTS Office
Sunnyside, Washington
509-837-2712

Dr. Tadeo Reyna, President-Elect
Director, Program Coordination Center
Kingsville, Texas
512-595-2725

Al Wright, Treasurer
Editor, MEMO
Baton Rouge, Louisiana
504-342-3517

Winford "Joe" Miller, Consultant
Former Director (retired), MSRTS
Hot Springs, Arkansas
501-623-2850

Vidal A. "Vic" Rivera, Consultant
Former Director (retired)
Office of Migrant Education
Alexandria, Virginia
703-360-7976

PROPOSED STATUTORY LANGUAGE

Chapter 1—Part D

Subpart l—Programs for Migratory Children

STATEMENT OF PURPOSE

The purpose: Access for children, assistance to schools, special programs, and coordination of all educational services.

Because migratory farmworkers and other migratory laborers perform essential tasks and contribute significantly to the nation's economy and well-being, because the children of such migratory workers suffer from multiple disadvantages resulting from their migrations, poverty, health, cultural barriers and social isolation, and because these children present unique and complex challenges to the schools of the nation, it shall be the policy of the United States to support full educational opportunity for migratory children and to assist the schools of the nation in meeting their educational needs. The purpose of this subpart is to ensure that migratory children have full access to all educational programs and services offered to all other children, that they shall be provided appropriate educational and supportive services addressing their special needs, that all such services be coordinated between and among states and school districts, and that migrant children have an opportunity to realize the nation s expectations for all of its students.

SEC. 1201. GRANTS—ENTITLEMENT AND AMOUNT

Entitlement based on improving, supplementing and coordinating education for migrant children.

(a) ENTITLEMENT—A State educational agency or a combination of such agencies shall, upon application, be entitled to receive a grant for any fiscal year under this part to *conduct,* either directly, through local educational agencies or through public or nonprofit private agencies, programs *to improve, supplement, and coordinate* the education of migratory children of migratory agricultural workers (including migratory agricultural dairy workers) and of migratory fishermen which meet the requirements of Section 1202.

Italicized portions signify new statutory language.

BACKGROUND

The National Association of Migrant Educators (N.A.M.E.) believes a formal statement of purpose is very much needed in order to reaffirm the purposes of the program and to clarify its basic mission.

There are three fundamental premises specified, two of which have too often been overlooked. It has been widely appreciated that migrant children suffer from many disadvantages resulting from their migrancy, and it is indisputable that these children, if they are to share in the achievement of the nation s educational goals for the year 2000, require special assistance.

However, two other factors are relevant, including the sole positive aspect of migrant labor. While there is nothing ennobling or enriching about being a migrant farmworker, a grinding life of hard work and frequent deprivation, the fact is that migrant workers are a *working* population which makes a significant contribution to the well-being of our society and our economy.

The other premise cited in the recommended statement of purpose is that migrant children, because of their limited residency, impact American schools in significant ways. Migrant families rarely contribute to the state and local tax base supporting schools; even worse, migrant children are frequently omitted from the counts of average daily attendance on which state foundation programs are based. Add to that the fact that migrant children are most likely to enroll in schools in relatively poor rural areas with minimal resources.

Thus, not only do migrant children need help and support, but many of the schools which they attend also need assistance in order to be able to meet their needs. These conditions lead to the conclusion that a holistic approach to meeting the educational needs of migratory children is required. Not only must all educators agree that migrant children must be a part of American education s drive to reach the goals of the year 2000, but all the schools which enroll migrant children must play a part in meeting their needs and all available resources must be utilized.

For these reasons, the purpose of the Chapter 1 Migrant Education Program must be broader than the establishment of discrete programs and projects for migrant children. It must provide *advocacy* for the rights and needs of migrant students, it must provide *access* to programs and services from all sources, and it must *coordinate* programs and services within a school and between schools as migrant children move. And of course, the Program itself must provide those services uniquely tailored for migrant children which cannot be provided by the schools and by other Federal programs.

Many of the recommended modifications of statutory provisions support this broadened perspective for the Migrant Education Program.

N.A.M.E. strongly recommends the continuation of Migrant Education as a state grant program. This basic feature of the program has provided needed flexibility to design and adapt programs that do not necessarily conform to traditional school structures and schedules, to target resources to address emerging needs, and to establish a structure for ongoing interstate coordination. N.4.M.E., in fact, recommends an even stronger role for the states in providing leadership for all schools to address the needs of migrant children in an appropriate manner.

N.A.M.E. recommends minor changes in the wording primarily to focus on an expanded role for the Migrant Education Program. The single word *conduct* is recommended to replace the former phrase establish and improve because all states except Hawaii have already established Migrant Education programs and because the Association believes it is more to the point to apply the word *improve* to the education of migrant children than to the program.

The addition of the phrase *through public or nonprofit private agencies* to those agencies which may conduct Migrant Education programs does not actually create a new option, since some projects are already funded through community-based organizations, institutions of higher education, and other agencies under broad regulatory definitions for local operating agencies. However, its specification in the statute will call the attention of some grantees to the flexibility they may exercise in establishing projects. Perhaps more importantly, in view of the National Commission on Migrant Education s recommendations for closer coordination among all migrant service providers, this provision may focus attention on the possibilities for cooperative endeavor.

Finally, N.A.M.E. recommends insertion of the words *improve, supplement, and* coordinate (in lieu of for) as a set of signposts for all educators. The underlying purpose of the Program is to improve the *education* of migrant children (not just improve the Migrant Education Program per se). The key requirements are that this Program must *supplement* all other education programs to which migrant children are entitled, and it must *coordinate* services within a school during a child s enrollment and *coordinate* services between schools when the child moves.

$100,000 minimum grant

Allocation based on actual count of migrant children.

(b) AMOUNT OF GRANT—(l) Except as provided in section 1291, the total grants which shall be made available for use in any State (other than the Commonwealth of Puerto Rico) for this subpart shall be *the larger of*

(A) $100,000, or

(B) an amount equal to 40 percent of the average per pupil expenditure in the State for (i) in the case where the average per pupil expenditure in the State is less than 80 percent of the average per pupil expenditure in the United States, of 80 percent of the average per pupil expenditure in the United States, or (ii) in the case where the average per pupil expenditure in the State is more than 120 percent of the average per pupil expenditure in the United States, of 120 percent of the average per pupil expenditure in the United States) multiplied by the estimated number of such migratory children aged 3 to 21, inclusive, who reside in the State *for any portion of the year,* as determined by the Secretary based on statistics made available by the migrant student record transfer system, except that if, in the case of any State, such amount exceeds the amount required under Section 1202, the Secretary shall allocate such excess, to the extent necessary, to other States, whose total of grants under this sentence would otherwise be insufficient for all such children to be served in such other States.

(2) In submitting the information required to make such determination, the States may not exceed an error rate of 5 percent.

Minimum funding

State entitlements have been based on the full-time equivalency of migrant children residing within a state for all or part of a year. The majority of states have actually experienced a decline in funding over the past five years, and many of those with smaller numbers of migrant children—and therefore smaller allocations—have found it increasingly difficult to identify and enroll migrant children statewide, provide appropriate services, and coordinate with programs in other states. Accordingly, these states are on the brink of collapse insofar as being able to conduct a meaningful program that is a viable part of a nationwide service to mobile children.

To address this problem, the National Association of State Directors of Migrant Education, with encouragement from the Office of Migrant Education, has called for minimum funding for every state to operate a Migrant Education Program. NASDME is asking for a $650,000 minimum, based upon a complex progression of efforts by each state to improve identification and enrollment of migrant children.

N.A.M.E. supports the principle that every state should have the capacity to address the needs of migrant children, but does not support minimum funding at the level proposed by NASDME. N.A.M.E. believes the best solution is to have funding follow the migrant children as they move, by making an adjustment in the formula for distribution of funds so that states heavily impacted by influxes of currently migratory children receive higher grants. (See below)

However, there is a minimal level of funding below which a state cannot carry out all of the functions required by the law, either in its present form or in the modified form proposed. Accordingly, N.A.M.E. recommends a minimum entitlement of $100,000 for all participating states under this section, augmented by a minimum administrative grant of $100,000 under section 1404, for an effective minimum grant of $200,000.

Funding Based on Child Count

Both the National Commission on Migrant Education and the Research Triangle Institute s study found that migrant children who settle out in a given school and community continue to have needs rising form their migrancy for years after they cease migrating. Each agreed implicitly with the premise that formerly migratory children should be counted and served by the Migrant Education Program. But both studies called attention to the statutory priority for currently migratory children, and questioned current practices in allocation of funds and services. The Commission recommended consideration of a weighting for currently migratory children in the distribution of funds. The RTI study found that the percentage of currently migratory children who receive services (about 60 percent) is just slightly higher than the percentage of formerlies who receive services (about 50 percent), and wondered why that was the case, considering the statutory priority.

The question of weighting the distribution of funds for currently migratory children has come up in earlier years. In the past it was a less urgent issue. When the Migrant Education Program was fully funded, there were ample funds to serve all eligible children. As constant-dollar funding has eroded since 1981, and as the population to be served has increased steadily, the picture has been drastically altered. With the Migrant Education Program now funded at about 28 percent of authorization, there is genuine concern that using limited funds to serve formerly migratory children may deprive currently migratory children of needed services. And much of the fault lies with the current funding formula, which actually places a higher value on formerly migratory children than on currentlies. To explain: a formerly migratory child residing all year in a state generates one full-time equivalent (FTE), which translated to about $500 last year. A currently migratory child who moves in for three months generates .25 FTE, worth about $125. The child generating the least money is the one to be targeted for services, a monumental Catch 22.

An additional funding provision designed to help fund summer programs for currently migratory children has become counter-productive, because it can also be used to boost FTEs by enrolling formerly migratory students. As a consequence, Migrant Education funding is flowing increasingly toward formerly migratory children, especially those generating more than one full FTE by being enrolled in summer programs.

Many in the Migrant Education community oppose change. Surveys of N.A.M.E. members show a decided split in opinion, with many favoring a weighting for currently migrant children but even more opposed to it. Some state directors of migrant education now advocate such a change, but NASDME members have been unable to reach a consensus. Supporters of the status quo point out that formerly migrant children have needs, too, and they deserve to be served.

N.A.M.E. agrees that formerly migratory children deserve every consideration and every possible service, but feels a moral obligation to reaffirm that currently migratory children, those for whom the program was originally established, must get priority. Given the shortfall in funding, the uncertainty of major new funding and the fact that the present formula is actually weighted in favor of formerly migratory children, N.A.M.E. recommends that the present formula be altered in a simple but decisive manner.

Instead of using an "estimated count of FTEs, N.A.M.E. recommends using a one-time head-count of migrant children residing in a state, either full-time or part-time. This simple step creates an even playing field on which all

Summer funding adjustment deleted.

(3) For each fiscal year, the Secretary shall determine the percentage which the average per pupil expenditure in the Commonwealth of Puerto Rico is of the lowest average per pupil expenditure of any of the 50 States. The grant which the Commonwealth of Puerto Rico shall be eligible to receive under this section for a fiscal year shall be the amount arrived at by multiplying the number of such migrant children in the Commonwealth of Puerto Rico by the product of—

(A) the percentage determined under the preceding sentence, and

(B) 32 percent of the average per pupil expenditure in the United States.

children are equal. Currently migrant children in a state for part of a year generate exactly the same revenue for that state as a student who has settled out and resides there all year. But a child who migrates between states can generate equal funds for both states, thus building the capacity of each for addressing the problems that arise from his mobility.

This proposed formula is admirable for more than its simplicity. given the same level of national funding, this formula would provide increases in funding for three-fourths of the states. (Over the three-year period 1990-92, 39 states would have received increases over actual funding by following this formula; only 12 would have lost funds.) For many, the increase would be small, but for those states serving large numbers of currently migratory children who are present only for short periods of time, the increase would be significant—on the order of 50 to 75 percent. Coupled with a new minimum grant for state administration, the result would be a tremendous improvement in the capacity of those states to deal effectively with the educational needs of currently migratory children, and to coordinate with the homebase states.

(See Appendix for state-by-state impact)

Summer Formula Deleted

This proposed formula would eliminate the need for a special summer supplement. Use of the summer school formula has become increasingly problematical for three reasons: it is applied most frequently for formerly mlgratory children; it applies with equal weight to all summer programs regardless of program type, and it now encounters almost intractable problems vis a vis a growing movement to year-round schools in many states.

In the summer of 1991, 66.78 percent of summer school supplemental funding was generated by enrollments of formerly migratory children. This represents a total reversal of the situation a decade earlier, when currently migratory students in summer programs outnumbered formerlies by a 2-to-1 margin. While there is no doubt that formerly migratory students can benefit from summer programs, it defeats the original purpose of the legislation for them to be the predominant group enrolled in summer programs and generating additional funding for their states—which can only result in lower levels of funding for those states with large proportions of currently migratory children.

The intent of the special summer provision was to help states recover the additional costs of conducting summer projects in which the Migrant Education Program had to pay all or most of the costs of operation, such as transportation and nutrition services as well as staff salaries, materials and equipment. These are part of the basic school program during the regular term, during which the MEP must supplement services already in place. Such services are not usually offered by school systems during the summer. Now, however, many of the children enrolled in summer programs, especially formerly migratory children, are placed in alternative programs with limited teacher contact and low overhead costs. N.A.M.E. does not question the value of such alternative programs, and would argue strongly against any prescriptive language that would limit a state s ability to be creative and innovative in the development of appropriate alternative programs that can help migrant children. But to direct additional funding toward such programs is to contravene the intent of the legislation, which was simply to help recover the associated additional costs. N.A.M.E. does not recommend a revised summer formula based solely on a cost basis, because such would entail burdensome paperwork both for States and the Federal government. The re-targeting of funds under the child count formula will achieve the desired effect of assuring adequate funding for summer programs for currently migratory children.

The move to year-round schools, particular in the migrant-concentrated states of California and Texas, has raised questions as to how the summer formula applies in such cases. Year-round schooling suggests some serious issues for migrant children, who already encounter problems arising from variations in school calendars and schedules as they move. A funding supplement for a state where school is actually in session during the summer would seem to be illegal under the supplement, not supplant provision. On the other hand, year-round schedules could produce hiatuses in the school calendar at odd times of the year, creating the effect of summer in January or October for migrant children, i.e., no school in session. Under such complex situations as seem likely to arise, an equitable special summer funding formula would seem to be impossible to carry out; hence, all the more reason to eliminate the formula.

SEC. 1202. PROGRAM REQUIREMENTS

(a) REQUIREMENTS FOR APPROVAL OF APPLICATION—The Secretary may approve an application submitted under section 1201(a) only upon a determination—

Goals of programs specified.

(1) that payments will be used for programs and projects (including the acquisition of equipment which are designed to meet the special educational needs of migratory children of migratory agricultural workers (including migratory agricultural dairy workers) or of migratory fishermen, *specifically to assist such children in transition between and among schools, in attaining promotion and staying on grade level, in making systematic progress toward graduation, and in acquiring competency in the English language; to improve the capacity of schools for addressing the unique needs of migrant children;* and to coordinate such programs and projects with similar programs and projects in other States, including *timely and accurate utilization of the migrant student record transfer system for* the transmittal of pertinent information *and* school records of such children. *Consistent with the recommendation of the National Commission on Migrant Education, such records shall contain, as a minimum, a unique student identification number, demographic data for enrollment and eligibility, grade placement, previous school attended, secondary credit accrual information, immunization data, and, where appropriate, notations of life-threatening medical conditions.*

MSRTS must be utilized in timely, accurate manner.

States must have comprehensive statewide strategy to assure access and equity.

(2) that State education agencies receiving such grants will implement and maintain a comprehensive statewide strategy for the education of migratory children, including state leadership, identification and enrollment of migrant children, capacity-building within schools and school districts, access to programs and services, the transfer and acceptance of full and partial credits earned in other states, and the systematic transition of formerly migratory children into appropriate programs and services to reduce dependency upon programs funded under this section.

Deletion of Construction

N.A.M.E. recommends the deletion of the authorization for *where necessary the construction of school facilities.* The point may be moot because YEP funds have generally been too limited to permit construction. Erection of buildings has never been a priority in the migrant program. Removal of the provision nay emphasize the need to coordinate with other programs and agencies as well as with schools.

Specified Program Goals

N.A.M.E. recommends inclusion of a short list of qualifiers to the longstanding phrase speclal educational needs of migratory children. By specifying what the needs of migrant children are, the statute gains significantly in the provision for accountability; it !makes a strong statement about the purposes of the program, especially the ultimate goal of helping migrant students graduate from high school. To accomplish that goal, the Migrant Education Program, in partnership with every school serving migrant children, must help migrant children with the transitions between schools, must help them avoid retention and stay on grade level, acquire English proficiency and earn credits toward graduation. This statement of overall goals provides solid, realistic benchmarks on which to gauge the effectiveness of Migrant Education Program services.

Utilization of the Records Transfer System

N.A.M.E. supports the recommendations of the National Commission on Migrant Education concerning utilization of the Migrant Student Record Transfer System. The Commission made two closely linked recommendations: (1) that the student record be simplified, and (2) that the Secretary certify that each state is fully complying with MSRTS requirements before approving the basic state grant. The proposed additional language will accomplish these purposes by making it a program requirement that states use the MSRTS in a timely and accurate manner to transfer information about migrant children, and that each record contains the minimum information recommended by the Commission. This language is more prescriptive than any previously used, but N.A.M.E. believes this prescriptiveness is required, given the findings of the Commission s study of lapses in the system as it has been operated essentially on a volunteer basis. And even though the Commission was rightly concerned with simplification of the record, it is also essential to specify minimum content in order to assure mutual understanding of the basic program requirement.

Statewide Strategy

This is an innovative provision that addresses the need for all educators who touch migrant children to be aware of their needs and able to deal equitably and effectively with them. It is based on a recommendation of the National Association of State Directors of Migrant Education which states that every state department of education should have a successful com,prehensive strategy for migrant children and youth that provides a process to bring about quality, equity and congruence in their schooling.' To accomplish this goal will require a strong presence for the Migrant Education Program in each state education agency, a condition which does not presently exist. According to the RTI study, only 15 states had full-time state directors of migrant education. In the other states, the administrator responsible for the Migrant Education Program spent an average of only 37 percent of his or her working time on the MEP. (An earlier survey by NASDME showed that, in some cases, the percentage was as low as 10 percent.)

This recommendation is linked inseparably to the recommendation under Section 1404 that there be a $100,000 minimum state administrative grant earmarked specifically for the Migrant Education Program. The intent of these recommendations is to ensure that each state has the capacity, as well as the obligation, to develop a statewide strategy and process for educating migrant children. The minimum administrative grant will enable every state to employ a full-time state director for the migrant program, which N.A.M.E. believes to be an essential step for meeting this requirement. This person must be more than an administrator, however; he or she must be able to improve systematically the state s commitment to migrant children and its capacity for educating them.

Although states should have some flexibility in developing a strategy to meet this requirement, N.A.M.E.

Other providers must be involved in coordinated effort.

(3) that in planning and carrying out programs and projects there has been and will be appropriate coordination *at the state and local project level* with programs administered under section 418 of the Higher Education Act, section 402 of the Job Training Partnership Act, the Education of the Handicapped Act, the Community Services Block Grant Act, the Head Start *and Migrant Head Start* programs, the migrant health program, and all other appropriate programs under the Departments of Education, Labor, *Health and Human Services*, and Agriculture.

Needs assessment, services, and evaluation must be linked in continuum

(4) that appropriate individual needs assessments will be made on all children eligible under this subpart, that programs and services provided will be appropriate to the identified needs, and that programs conducted under this subpart will be evaluated in terms of their effectiveness *in meeting identified needs and* in achieving stated goals *relevant to the basic purposes of this subpart, as expressed in subparagraph (a)(l) of this section.*

believes the following elements are essential:

—The state must have an effective plan for statewide, year-round identification and enrollment of migrant children;

—The state must provide all schools with information about migrant children;

—The state must enact policies binding on all schools to provide migrant children full access to programs and services;

—The state must enact a policy binding on all schools to assess and recognize full and partial secondary credits earned by migrant students in other states and school districts;

—The state must involve mainstream educators in planning and carrying out programs for migrant children, and

—The state must develop guidelines for phasing formerly migratory children out of the MEP so that, over time, their needs can be addressed by the schools and other programs.

These provisions are intended to foster a shared responsibility for migrant children, to ensure that MEP personnel become advocates for migrant children (as recommended by the National Commission) and to open up the entire educational system to migrant students.

Coordination

N.A.M.E. accepts without reservation the recommendation by the National Commission that Federal programs serving migrant farmworkers and their families must be better integrated and coordinated. To act upon some of the Commission s recommendations, such as a common definition among programs, would go beyond the scope of this legislation, and will not be treated here. The recommended statutory language will strengthen the commitment to inter-program coordination. The addition of the Migrant Head Start program to those specified in the statute is well justified by virtue of that program s significant role in serving migrant preschoolers.

Needs Assessment

This recommended languag replaces the current reference to section 1014. The change is recommended for two reasons. First, the needs assessment requirement for Chapter 1 basic is fundamentally different from that of the MEP. In Chapter 1, needs assessment determines eligibility for the program; in the MEP, the child s eligibility is determined first (based on conditions of mobility) and then needs assessment is conducted. Second, and more importantly, the specific requirement in the Migrant Education legislation focuses attention on the key role of needs assessment. Paragraph (4) is constructed so that needs assessment is the first component of a continuum; needs assessment determines what services should be provided, and evaluation of the services is based on their effectiveness in meeting the identified needs.

It sounds simple, but the process becomes meaningless if needs assessment is not done carefully. It is very important that it take account of those needs which arise from the child s migrations: did the child leave school early, is he enrolling late, has he earned partial credits that need to be consolidated, does he need to make up credits? Very often these considerations are more vital than the children s reading scores on standardized tests. Then, of course, the service to that student must address the most urgent need. It is of no benefit to a migrant student to enroll him or her in an enrichment program if what he or she really needs is to make up a missed credit in American history.

Evaluation

N.A.M.E. concurs with the many educators who question the use of standardized tests as the primary measurement of student achievement. It seems altogether inappropriate to use norm-referenced assessment instruments to measure the effectiveness of the Migrant Education Program. Yet the Migrant Education Program must be accountable, not so much to the Congress, which provides the funding, but to the migrant students themselves, who are so utterly dependent upon it.

N.A.M.E. believes that the key to accountability is a clear statement of the goals of the program. For that reason it recommends the specific statements in 1202(a)(1) above; to address these identified needs is to work toward the most important objectives—promotion from grade to grade, progress toward high school graduation, acquisition of English, and access to programs and services. State and local migrant education programs can fairly be evaluated in terms of numbers of graduates, percentage of students staying on grade level, and students provided access to relevant programs and services. It is equally important to evaluate programs in terms of how well they match services to the actual needs of students. All of this is made possible under the recommended language.

Parents must be involved in planning, informed of policies.

(5) that, in the planning and operation of programs and projects at both the State and local educational agency level, there is appropriate consultation with parent advisory councils (established in order to comply with this provision) for programs extending for the duration of a school year and, *to the extent possible, with parents whose children are served in programs operated during the summer, and that migrant parents are informed about school policies and their children s rights as they change school districts,* and that all programs are carried out in a manner consistent with the requirements of section 1016.

Early childhood services must be linked to Migrant Head Start, Even Start.

(6) that, in planning and carrying out programs and projects, there has been adequate assurance that provision will be made, *in systematic consultation with the Migrant Head Start and Migrant Even Start programs,* for the preschool educational *and developmental* needs of *currently* migratory children, *as defined in 34 CFR 201.3.*

Equity for migrant children must extend to all aspects of schooling.

(7) that State educational agencies receiving such grants provide assurance that no child eligible under this Subpart shall be penalized in any manner for conditions resulting from the child s migration, nor denied access to any program, service or school activity because of limited residency.

(8) that assurances have been made that funds for programs and projects under this subpart will be used in a manner consistent with the objectives of subsection lOll(a), except that funds may also be used to administer and carry out unique requirements of this subpart; that State and local educational agencies and public and private nonprofit agencies receiving funds meet the requirements of sections 1012, 1018, and subpart 2 of Part F.

Parent Involvement

N.A.M.E., whose membership ranks include a significant number of migrant parents, strongly supports a continued commitment to parental involvement in all phases of their children s education. N.A.M.E. concedes that parent advisory councils can be difficult to establish during many summer programs, but recommends new statutory language that would encourage such councils in summer projects wherever possible.

More importantly, it is recommended that language be added to assure that migrant parents are informed about school policies and the rights o their children as they move from school to school. Migrant families encounter a bewildering array of rules and regulations as they move; this requirement makes the Migrant Education Program and the schools collectively responsible for providing appropriate information to parents entering a new district or school. Migrant parents should be informed of all available school programs and provided assurance that their children have full access to them.

Preschool Programs

N.A.M.E. recognizes the vital importance of preschool programs for migrant children. It supports the goal that all *migrant* children enter school ready to learn, a daunting task in view of actual conditions. That migrant children typically do not begin school ready to learn, at least in the manner that phrase is used in most American schools, is attested to in statistics showing that about half of all migrant children are one year or more below grade level by the time they start second grade.

Yet N.A.M.E. does not believe that the MEP should have primary responsibility for providing preschool services to migrant children. The funding for the program is based on its being a supplement to the regular school program; at the preschool level there is no school program to supplement. The average MEP funding of approximately $500 per child would not go far in supporting a comprehensive child development program such as Head Start. The Migrant Education Program should focus its efforts more on being an advocate for preschool children that on being a frontline service provider.

N.A.M.E. recognizes that the Migrant Head Start program has set the standard for quality service to migrant preschoolers, and that the newer Migrant Even Start program has exhibited great promise as an even more comprehensive family-based model. Consequently, N.A.M.E. recommends statutory language that strongly implies that the latter two programs have primacy in the field of early childhood services for migrant children, while reserving for the MEP an obligation to serve those <u>currently</u> migratory preschoolers who cannot be enrolled in one of the other programs. Because this legislation cannot mandate to the Migrant Head Start and Even Start programs, the language cannot be any stronger than systematic consultation.' However, the implication should be clear that the MEP consult with the other programs before setting up programs of its own.

The addition of the wording pertaining to developmental needs and limiting of the provision to currently migratory children brings this requirement into harmony with provisions of the Migrant Head Start and Migrant Even Start programs.

Equity

Although civil rights legislation protects migrant children from discrimination based on race, language or national origin, it cannot always protect them from barriers resulting from their mobility and limited residency. Schools routinely establish deadlines and requirements for school activities which migrating students, through no fault of their own, cannot meet.

N.A.M.E. s position is that a migrant child, on the day he or she enrolls in a new school, should be eligible for everything any other student in the school is eligible for. A migrant student should not be excluded for the football team or cheerleading squad because he or she got back to his or her homebase school in mid-October, nor prevented from graduating as class valedictorian because half of his or her credits were earned in another state. Minimum attendance laws should not be construed so as to prevent migrant students from earning credits toward graduation.

It should be clear that these requirements take precedence over state, district and school regulations in all states receiving funds for the Migrant Education Program. Schooling is a total experience, and migrant children are entitled to share fully in everything that is available.

Assurances

This is a partial restatement and clarification of existing language referencing certain sections of Chapter 1; Part A. The reference to section 1014 has been deleted, since the needs assessment requirement is better addressed under 1202(a)(4) above. The reference to section lOll(a) (Uses of funds) has been expanded to specify that funds under section 1201 can also be used to meet the unique requirements of Migrant Education. While not specified, such requirements include statewide identification and recruitment, transfer of records and credits, accessing other programs, and advocacy for migrant children. The language for the reference to section 1012 (Assurances) and section 1018 and subpart 2 of Part F (fiscal requirements) has been changed from in a manner consistent with the objectives of to meet the requirements of. The reason for the recommended change is to emphasize that the basic assurances and fiscal requirements are *exactly* the same for the MEP as for Chapter 1 basic.

(b) CONTINUATION OF MIGRANT STATUS—For purposes of this subpart, with the concurrence of the parents, a migratory child of a migratory agricultural worker (including migratory agricultural dairy workers) or of a migratory fisherman shall be considered to continue to be such a child for a period, not in excess of 5 years. Such children who are currently migrant, *as defined in 34 CFR 201.3*, shall be given priority in *programs and services operated under this subpart. Programs which provide services to formerly migratory children shall implement procedures to ensure that such children, after two years as formerly migratory, are systematically phased into other programs and services, so that, by the end of the overall period of eligibility, their remaining unmet needs may be addressed.*

Programs for formerly migratory children must provide for transition over time into alternative services.

(c) DEFINITIONS—Until October 1, 1996, or until 12 months following the completion of the activity defined in Section 1205 below, the Secretary shall continue to use the definitions of agricultural activity, and fishing activity *in 34 CFR 201.3. The definition of currently migratory child shall be extended to include also any person aged 17 to 21, inclusive, who is either a migratory agricultural worker or a migratory fisher.* No additional definition of migratory agricultural worker or migratory fisherman may be applied to the provisions of this subpart.

Older migrant youth moving on their own are made eligible.

(d) BYPASS PROVISION—If the Secretary determines that a State is unable or unwilling to conduct educational programs for migratory children of migratory agricultural workers (including migratory agricultural dairy workers) or of migratory fishermen, that it would result in more efficient and economic administration, or that it would add substantially to the welfare and educational attainment of such children, the Secretary may make special arrangements with other public or nonprofit private agencies to carry out the purposes of this section in 1 or more States, and for this purpose the Secretary may use all or part of the total of grants available for any such State under this subpart.

Both the National Commission on Migrant Education and the Research Triangle Institute study found that the needs of migrant children continue for a long time after they stop migrating. 'The Commission understands, said the former, that these children who no longer migrate and whose needs continue to be great should be counted and served. The RTI executive summary noted that formerly migratory students continue to exhibit elevated levels of need. A survey of N.A.M.E. members also produced strong support for continuing the eligible status of formerly migratory children. For these reasons, N.A.M.E. recommends that the language pertaining to continuation of migrant status remain essentially intact. (An updating of the regulatory citation is recommended.) It is recommended, however, that the language regarding the priority of currently migratory children be strengthened by deleting the words the consideration of.

Transition Phase

A significant, if expected, finding in the RTI study was the genesis for the new recommendation concerning the transition of formerly migratory children into programs not funded by the MEP. The finding was that the needs for special instructional and other education-related services decrease the longer migrant students are settled out." This finding confirmed what many migrant educators have known intuitively: the effects of migrancy may never be totally overcome, but they do diminish in time as the combined effects of a stabilized school environment and the intervention of the MEP take effect.

Based on this pattern, N.A.M.E. recommends that the final three years of a formerly migrant student s eligibility be a transition period in which he or she is systematically phased out of MEP services and into other appropriate programs. By the end of the eligibility period, the student should be completely provided for by the basic school program or other such supplemental programs for which he or she qualifies. This process is educationally sound, and it complements the principle of focusing greater efforts on currently migratory children.

This recomme-ndation does not preclude the transitioning of migrant students at an earlier date wherever possible, but it does provide full opportunity to address with MEP funds the needs of students through one year of currently migratory status followed by two years of formerly status. Because migrant families who try to settle out of the migrant stream are often forced by economic circumstance to migrate again, about a third of formerly migratory students will re-activate as currentlies sometime during their first two years. After the second year, the odds are much greater that a child will not migrate again. Thus, during the period when formerly migratory students are closer to their active migrancy and more likely to become active again, there will be no obligation to plan a phase-out of services through the YEP. But after three years, when there has been time for the MEP to have a positive impact and there is relatively little likelihood that the student will re-activate, programs will be obliged to start a transition period so that the student can become progressively less dependent on Migrant Education for direct services.

Definitions

N.A.M.E. recommends a freezing of most eligibility definitions until a valid ethnographic/demographic study on the various categories of workers now eligible can be conducted. It proposes such a study under section 1205 below. Should such a study not be conducted, N.A.M.E. recommends that the definitions be frozen for the duration of the authorization, except for the recommended change to permit eligibility for migrant youth who migrate on their own.

With the expansion of the eligible age range by P.L. 100-297 to include migrant youths 17 years of age through age 21, migrant educators have encountered many instances of older youth who are migrant workers but who are not eligible for the MEP. That is because the MEP was established for children whose parents were migrant workers, and the language (migratory children of migratory farmworkers, etc.) was not changed when the age range was changed. The definition frozen in place by P.L. 100-297 permits youth migrating on their own to qualify only if they have made a prior qualifying move with their parents. As was made clear in both the National Commission report and the Rti study, there are presently large numbers of young single males who migrate on their own to do seasonal farm labor.

To make these youths eligible for the MEP, it will be necessary to amend the definitions as they are now carried in the program regulations at 34 CFR 201.3. N.A.M.E. recommends language to accomplish this. The recommendation to limit the provision to youths 17 to 21 years of age takes into account the possibility of conflict with compulsory attendance laws for youths under the age of 17.

1203. INTERSTATE COORDINATION OF MIGRANT EDUCATION ACTIVITIES

Portions of each state's entitlement reserved to help all states coordinate services for shared children.

(a) PURPOSE—To ensure that the education of migratory children attending school in two or more states is effectively continuous, congruous, and appropriate, a significant degree of coordination between providers in states which share children must be established and maintained. For that reason, a portion of each State s entitlement under section 1201(b) is reserved to assist all States in fulfillment of the interstate coordination requirements of section 1202(a)(1).

(b) ACTIVITIES AUTHORIZED — The Secretary is authorized to make grants, for a period of 5 years, to State educational agencies *for the following activities to improve the coordination among State and local educational agencies in educational programs and services for migratory students:*

Coordination centers are to help states build capacity to educate children migrating between states.

(A) Migrant Education Coordination Centers, no fewer than three in number, which shall assist school districts and State and local migrant education programs in all States, Puerto Rico and the District of Columbia, in addressing the educational needs of interstate migratory children; such centers shall be authorized to provide training and technical assistance for teachers, administrators and other providers, and for migrant parents; participate in cooperative funding for teacher exchanges; conduct meetings of practitioners serving interstate students; develop and disseminate materials for instruction of interstate students, and disseminate information to interstate students and parents concerning programs and services in destination states. Centers shall prioritize delivery of services based on the greatest needs of States and school districts in serving interstate migratory children and shall not be restricted by territorial limitations in coordinating services between States which share students.

Statement of Purpose

N.A.M.E. believes that the purpose of this section, and its relationship to sections 1201 and 1202, need to be clearly specified. The sole purpose of this section should be to provide the vehicles and the resources for assisting states and local educational agencies to coordinate the education of children who migrate between states and school districts, with a clear emphasis on interstate children. The origin of this section was a recognition by the first grantees of the Migrant Education Program that they needed a mechanism for exchanging school records of migrant children, from which emerged the Migrant Student Record Transfer System. MSRTS was originally funded through pro rata voluntary contributions from the states, then incorporated into Section 143 (direct antecedent of 1203) to give the Department of Education the authority to set aside funds each year to assure continued operation of the records system. Section 143 also created a grants program for other interstate coordination activities.

From the beginning, the intent of the legislation was for the setaside for Section 143/1203 to be a part of the state entitlements under section 1201, not a separate grants and contracts program for the Department of Education. This principle was affirmed in a ruling by the Department's general counsel in 1978. It is also reflected in the statutory language stipulating that MSRTS is not a Federal system of records.

Thus, the recommended statement of purpose makes it clear that funds set aside for section 1203 continue to be part of the states' entitlement, but also establishes that the funds are to be used to assure a continuity, congruency, and appropriateness in the education of actively migrating migrant children. Except that the records of all migrant children should be maintained in MSRTS, the overriding intent is to focus section 1203 funds on services that benefit, either directly or indirectly, on currently migratory interstate children.

N.A.M.E. recommends that the most critical interstate services be specified in the legislation to eliminate a protracted and unsatisfactory process of "consultation with the states" to determine priorities for awards under section 1203. Only three such activities are specified, and they correspond to priorities which have consistently topped surveys of state administrators , and other practitioners. It is believed they should be permanent services to migrant children and Migrant Education projects, inasmuch as they address critical needs that can be addressed only from a national perspective.

N.A.M.E. recommends that all these awards be in the form of grants, rather than contracts. Grants provide for greater flexibility and greater responsiveness to the needs of the states, and are less subject to intrusive attempts by the Department to dictate or restrict activities. It is also recommended that the grants be renewable for a period of five years, after which time they should be recompeted.

Equally important, the recommended language specifies that the grants work to coordinate services to migrant children at the state and local level.

Migrant Education Coordination Centers

These are intended to continue the types of activities and services of the present Program Coordination Centers, except that the stated purpose is to focus entirely on needs of interstate migratory children and there is no restriction as to establishing centers based on the historical migrant streams. The chief activities of the centers are detailed; their common goal is to build capacity of schools for educating currently migratory children and to facilitate programs and services that benefit interstate migrant children. The language deliberately authorizes these centers to provide training and technical assistance to all educators of migrant children, not just those who are paid with MEP funds. N.A.M.E. believes this is a key principle in fostering a broad awareness of the needs of migrant children. It would also authorize such centers to provide a share of financial support for teacher exchanges and other programs linking shares which share children.

The prioritization of services to areas with the greatest needs is intended to direct such centers to concentrate training and other services where there is the least established capacity for educating migrant children, e.g., areas with small state grants, few bilingual teachers. In general, states and areas receiving short-term migrant students should have greater requirements than homebase areas; these states often must adopt the curriculum from the homebase states and otherwise educate interstate children as if they were a satellite of the homebase.

High school credits can be evaluated, granted and transferred by Center.

(B) National Migrant Secondary Services Center, which shall provide and facilitate services to enhance the potential of interstate migratory students to graduate from high school, including the establishment of an agency or agencies to grant credits, assessment and transfer of full and partial credits, technical assistance to schools providing secondary services to interstate migrant students, advocacy for students and direct assistance in completion of coursework, and continuing coordination with accrediting agencies, professional educational associations and applicable Federal programs.

All agencies are involved in effort to improve multi-state identification of migrant children.

(C) National Migrant Identification Network, which shall facilitate the identification and enrollment of migratory students as they move from state to state; the service shall utilize and expand advance notification strategies and shall be closely coordinated with programs of the Departments of Labor, Agriculture, and Health and Human Services, and with the Migrant Student Record Transfer System.

(D) Any other program, activity or project, as determined by state administrators of migrant education programs, which supports or improves the coordination of educational services to interstate migrant children.

Secondary Services Center

This is not intended as a direct follow-up to the Secondary Credit Exchange and Accrual project, but as a necessary permanent service to migrant secondary students. If the graduation rate, now about 50 percent for all migrant students, is to be improved to the 90 percent level by the year 2000, this center is absolutely critical. It is projected as the mechanism to help migrant students overcome one major barrier to graduation—the difficulties in transferring credits, and to provide overall national leadership in establishing appropriate secondary programs.

The project will provide an entity to grant credits for full and partial coursework completed by migrant students; that entity could be a school district, an institution of higher education, or any other accredited agency. The project will also assess full and partial credits, make recommendations to schools for acceptance, and follow through as advocates for students. It will also coordinate and promote the use of 'national assisted programs, such as the Portable Assisted Secondary Sequence course packages. When necessary, it will provide direct help to students for the completion of coursework.

The center will do everything that needs doing to get migrant students a high school diploma. It must be manned by knowledgeable, dedicated specialists who are linked to all the schools where migrant students are enrolled, all the alternative programs granting credit, all the accrediting agencies and all the state boards of education. It must also be backed by the assurance that every state receiving migrant education funds has a plan in place for transferring and accepting credits earned by migrant students (as required by proposed 1202(a)(2).

Migrant Identification Center

The greatest single failing of the Migrant Education Program is that a large percentage of actively migrating interstate students are identified and served in only one state. As documented in MSRTS records, that percentage can be as high as 75 percent. The number of interstate migrant students who receive MEP services in two or more states during a given year is distressingly low, probably under 30,000 out of a total of approximately 350,000 children served by the program.

The National Commission suggested that a weighting for currently migratory children in the funding formula would give states more incentive for identifying And enrolling such children. The shift to a child count instead of an FTE count, as recommended by N.A.M.E., would achieve some of the effect of a weighting, but N.A.M.E. is not certain that a significantly greater incentive will be produced. The incentive is already present to identify and enroll every migrant child of any migratory status. N.A.M.E. believes that the challenge of multi-state identification of currently migrant children can be addressed only through a massive, systematic, and broad-based effort that is coordinated with every agency serving migrant farmworkers.

The proposed network is envisioned as a hub with strategically located satellites; its mission will be to gather and analyze information pertaining to migrant worker movement, to provide information to migrant families about access to MEP services, and to build the capacity of state and local programs to identify and enroll children and to provide information about expected moves.

Some specific activities to further this effort:

- Assess current advance notification systems and facilitate wide implementation of systems that seem to work;
- Match up information from all sources about areas where migrant workers are employed with state identification and recruitment plans;
- Identify principal travel routes of migrant workers and pinpoint sites where information can be disseminated (Hope, Ark., is the model);
- Establish nationwide toll-free number to provide information to migrant families about services in destination areas (and to identify families en route);
- Help states establish toll-free telephone information service;
- In coordination with state programs and coordination centers, educate migrant parents about the need to have their children enrolled in the MEP as they move.

This project should not be concerned with the training of recruiters, only with developing a national information network that connects migrant families with migrant service providers and improves the capacity of states to identify currently migratory children.

N.A.M.E. recommends this provision to enable states to address other needs of interstate migrant students as they emerge. The phrasing as determined by makes the states responsible for a collective decision on a program or service important enough to justify using an additional portion of their 1201 entitlements.

Steering committees include state and local level educators, as well as migrant parents.

(2) (A) For each activity authorized under paragraph (l) above, there shall be a steering committee composed of at least six representatives of the State education agencies and six representatives of local education agencies, who shall also be representative of the diverse regions of the United States; three parents of currently migratory children; a representative of the Office of Migrant Education, and appropriate representation from such other agencies as are associated with the activity.

(B) For the purpose of ensuring continuity in the provision of such services, the Secretary shall, not later than July 1 of each year, continue to award such grants to the State educational agency receiving the award in the preceding year.

(3)(A) The Secretary is also authorized to enter into a contract with a State educational agency to operate a system for the transfer among State and local educational agencies of migrant student records, (including individualized education programs approved under the Education of the Handicapped Act), *and to make such records and the information therein readily accessible to school personnel responsible for the education of migrant children. The format, content and distribution of such records shall be determined, and revised as needed, by an advisory committee to the contractor, to be selected in consultation with state administrators of migrant education programs, consisting of three state administrators of migrant education programs; a representative of the Office of Migrant Education; no fewer than ten representatives of local educational agencies, including teachers, principals, counselors and health providers, of whom 50 percent or more receive no compensation from funds authorized under Section 1201, and no fewer than three parents of children who are currently migratory.*

Records content and distribution to be determined by committee of state and local practitioners and migrant parents.

(B) *In developing specifications for this contract, the Secretary shall consult with state agencies receiving grants under section 1201 and with the advisory committee established under subparagraph (3)(A) of this section. The states shall have full authority to determine the programmatic content of the contract.* Except as provided in subparagraph (C), for the purpose of ensuring continuity in the operation of such system, the Secretary shall, not later than July 1 of each year. continue to award such contract to the State educational agency receiving the award in the preceding year, unless a majority of the States notify the Secretary in writing that such agency has substantially failed to perform its responsibilities under the contract during that preceding year.

Steering Committees

N.A.Y.E. recommends that the steering committee for each project funded under section 1203(b)(1) include both state-level and local-level practitioners. The latter have frequently had only minimal representation on such bodies. N.A.M.E. believes it is important that the grass-roots level be fully involved in policy decisions affecting services to interstate migrant children. The representatives of local agencies could include migrant parents.

Continuation of Award

This paragraph provides for the automatic renewal of each grant by July 1 of each year, through the five-year cycle. It is the intent of this recommendation to bring the lifespan of the grants onto the same timetable as the the authorizing legislation, which is usually also five years. N.A.M.E. believes the projects specified will probably be needed on a continuing basis, so long as there is an interstate migrant education program, but the reauthorization process will provide an opportunity for review every five years.

MSRTS

The recommended language concerning the records transfer system includes changes suggested by the report of the National Commission on Migrant Education. The Commission recommended an increase to direct access to MSRTS for local educators, i.e., mainstream teachers and administrators, not MEP personnel, and a role for migrant students and their families in MSRTS. N.A.M.E. believes that the new language to make such records and the information therein readily accessible to school personnel responsible for the education of migrant children emphasizes that MSRTS and state grantees must involve a broad spectrum of local educators in strategies and policies for utilizing the system to help migrant children.

The recommendation on the advisory committee is designed to make permanent a promising recent practice of the National Association of State Directors of Migrant Education. The NASDME MSRTS Committee has been the policy-making body for MSRTS for about two decades; by the time the National Commission criticized MSRTS for insufficient involvement of mainstream educators the MSRTS Committee had for years been comprised solely of Migrant Education-paid personnel. In 1991, NASDME reconstituted the committee to include mainstream teachers, a counselor and a principal. The new committee has been quite successful in effecting change and improvement. N.A.M.E. believes migrant children would be well served by having such an advisory committee, with a significant component of mainstream educators, become a statutory adjunct to MSRTS. NASDME, representing the states receiving MEP grants, would continue to have a strong voice in the process because it would be consulted concerning all appointments to the committee and would have three of its members on the committee. There is also provision for inclusion of migrant parents.

(C) Beginning on July 1, *1998*, and every *10* years thereafter, the Secretary shall conduct a competition to award such contract.

MSRTS is not a Federal system of records

(D) No activity under this section shall, for purposes of any Federal law, be treated as an information collection that is conducted or sponsored by a Federal agency.

Satellite T.V. courses provide continuity and culturally appropriate instructional programming.

(4) A grant shall also be made under this section to a State educational agency or a combination of such agencies to develop and operate a national instructional television program service for migrant children. Such service shall be transmitted by satellite and by other such media as are appropriate and cost-effective, provided that programming and transmission is compatible with and suitable for delivery in services available through the Star Schools program. Priority shall be given to programming that promotes continuity of education for currently migratory interstate children. A majority of programming shall be live and interactive, and shall be linguistically and culturally appropriate for the migrant student audience for whom intended. Instructional objectives and curriculum content shall be developed by an advisory committee of qualified educators representing all regions of the nation in which migrant children reside. The service shall also develop and transmit programming related to parental involvement, staff development, interstate and interagency coordination, and conditions relating to education, employment and services in areas that are prospective destinations for migratory families. The television service shall be made available to other providers of migrant services on a reasonable basis.

States must collaborate in development of proposals for interstate coordination projects.

(5) Because the purpose of this Section is to foster coordination and cooperation among the States, the Department of Education shall, notwithstanding provisions in the Federal Acquisition Regulations, assure that State educational agencies consult and collaborate in a meaningful and systematic way to develop proposals to conduct authorized activities in a manner that most efficiently and effectively addresses the most urgent needs of the greatest numbers of interstate migratory students.

Ten-Year Contract

The impetus to recompete government contracts frequently is understandable, but N.A.M.E. believes frequent recompetition of MSRTS will be counter-productive and not in the best interests of migrant children. P.L. 100-297 dictated a recompetition on a four-year cycle, but it is taking the Department of Education five years to develop specifications and issue a Request for Proposals. The process has caused some turmoil and some misunderstandings between the states and the Federal migrant education office, but the greater fear is the possibility of an awkward, laborious and expensive transition period if a state other than Arkansas is the successful bidder in 1995. MSRTS has never had to undergo such a transition, and there is considerable apprehension about the continuity of services during a possible change-over. Placing the recompetition on a 10-year cycle will reduce the stress and enable all parties to plan better for the bidding and for any possible transition.

Not a Federal System

This language is unchanged. N.A.M.E.emphasizes this is a principle of overriding importance.

Instructional Television

Technology should play a key role in the education of migrant children, and the technology which offers the most significant and immediate impact is satellite-transmitted interactive television. This medium, which has already been successfully piloted, can help remove many of the barriers to education for currently migratory children. In a nutshell, interactive satellite TV offers a new tool for providing continuity for migrant children as they move (they can have the same teacher anywhere they go!), it provides a cost-effective means for utilizing the most talented and creative teachers for migrant children, it answers the challenge of providing linguistically and culturally appropriate instruction, and it can bring homebase-specific instruction to migrant children when they are far from their homebase. Additionally, it can be a effective tool for staff development, secondary credit courses, parent training, and interstate information dissemination.

This recommendation covers the creation of a national instructional programming service for migratory children. It is not intended to provide funds for buying a lot of hardware. As pilots have already demonstrated, it is possible to use existing studios, uplink and downlink facilities. There are production facilities and satewite uplinks created for the Star Schools program and other Government-supported efforts which can be utilized for transmission of migrant education programming.

The major thrust must be to develop programming that addresses the needs of migrant children and that improves the capacity of schools everywhere for educating migrant children. The development of such programming must be a collective effort of knowledgeable Migrant Education practitioners. As programming is developed, it will be necessary to develop printed guides and curriculum materials and to develop strategies for utilization.

This project should begin with a one-year planning/developmental grant of about $1 million. During this year, the project should assemble a cadre of practitioners to identify and prioritize the needs of migrant children that can be addressed by top-quality televised instruction, outline a core curriculum of telecourses that can form the basis of educational continuity, define program standards, develop special needs programming, identify production facilities in many parts of the nation that can be utilized, and prepare and implement pilot projects.

An operational budget for year-round programming would require $4 to $6 million, beginning with the second year. N.A.M.E. believes this is a small price to pay for a quality service that links migrant children to the best available teachers, that involves all educators as teaching partners, gives the children a chance to participate actively, and provides them assurance that there is a national commitment to give them an excellent education wherever they may move.

Consultation and Collaboration

N.A.M..E. believes that the purposes of this section can be accomplished only if state education agencies actively collaborate in the development of interstate coordination projects. Such consultation is inhibited by standard Federal procurement practices. Since state education agencies are the only eligible bidders for section 1203 grants and contracts, they may, if they collaborate on proposals, be technically guilty of collusion. Alternatively, when individual states interested in a particular grant develop an application on their own or with a small consortium, they are likely to produce a project that does not address the full range of interstate coordination issues.

The purpose of this recommendation is to produce a loophole in the Federal grants and procurement process so that states may indulge in collusion in the interest of improving interstate coordination. In fact, it goes further than that—it mandates that such consultation and collaboration take place so that the greatest needs of the greatest numbers of interstate migratory children can be addressed.

(c) AVAILABILITY OF FUNDS—The Secretary shall. from the funds appropriated for carrying out this subpart, reserve for purposes of this section for any fiscal year an amount, determined by the Secretary in consultation with the States, which shall be not less than *$12 million* nor more than *6* percent of the amount appropriated. *In the event that any funds reserved for this section are not used for those purposes during the fiscal year for which they were appropriated, such unused funds shall be added to the amount available for distribution under Section 1201 in the ensuing year.*

1204. RESEARCH AND DEMONSTRATION PROJECTS—

(a) The Secretary is authorized to make grants to State Educational Agencies to conduct research and demonstration projects to improve the effectiveness of educational programs for migratory children who reside in two or more states.

R & D efforts would focus on currently migratory interstate children.

(b) AUTHORIZED ACTIVITIES Grants shall be made to SEAs to conduct research into the characteristics of interstate migratory children, conditions affecting access to educatIonal services and continuity of education for interstate migratory children, and effectiveness of educational programs for interstate migratory children, and to disseminate the results of such research.

(2) Grants shall be made to SEAs to develop and implement innovative projects to address identified educational needs of interstate migratory children, to evaluate the effectiveness of such projects, and to disseminate information concerning the content, structure and effectiveness of such projects.

(3) Grants shall be made to consortia of two or more SEAs to develop and implement innovative projects that coordinate educational services to identified migrant children residing annually in at least two of the participating states, to evaluate the effectiveness of such projects, and to disseminate information concerning the content, structure and effectiveness of such projects.

(c) AUTHORIZATION—To fulfill the purposes of this section, the amount of $5,000,000 is authorized, distributed in the amounts of $1,500,000 for the activities authorized under (b)(l) above, $2,000,000 for the activities authorized under (b)(2) above, and $1,500,000 for the activities authorized under subparagraph (b)(3) above.

Funding for 1203

N.A.M.E. recommends a slight increase in authorized funding for the 1203 program, primarily to cover the expected additional cost of the instructional television service. N.A.M.E. argues that the increase in the setaside from 1201 funds, rather than diminishing amounts available to the states for direct services to migrant students, will actually increase the amount of funds focused on the children who have the highest priority for program services. Especially through the instructional television service and the secondary services center, but also through the expanded role of the coordination centers and an improved MSRTS, currently migrant interstate children will be the principal and direct beneficiaries of services funded under this section.

The recommended return of unexpended funds to section 1201 is consistent with the principle that all 1203 funds are derived from the 1201 entitlements.

Research and Demonstration Projects

N.A.M.E. recommends the creation of a new funding authority for research and demonstration projects focused on interstate currently migratory children.

There is currently no research provision under any program to address the numerous dimensions of the education of migrant children. Paradoxically, the Migrant Education program has historically implemented many innovative and unorthodox programs and strategies that offered fertile ground for investigators. N.A.M.E. believes that the Migrant Education Program can be strengthened significantly through empirical research covering the gamut from public attitudes toward migrants through comparative effectiveness of alternate teaching methods.

Demonstration grants are designed to motivate states to exercise creativity and flexibility in planning ways to help educate migrant children. N.A.M.E. believes it is important to focus on currently migratory children in such projects, although the use of formerly migratory students in comparison groups should not be ruled out. Multi-state grants to focus on those children who are shared by two or more states could help develop models for a total continuum of services to migrating children.

SEC. 1205—DEMOGRAPHIC/ETHNOGRAPHIC STUDY OF MIGRANT CHILD POPULATION

Diverse working population eligible for MEP are studied through ethnographic methods.

(a) The Secretary shall conduct a national study of the effects of migration on children eligible for the Migrant Education Program. The study shall be conducted on the basis of ethnographic methodology and shall include families representative of each of the major occupational areas determining eligibility. Such areas shall include seasonal work in fruit, vegetables and horticultural work; temporary or seasonal work in dairying, poultry, livestock, and food processing; temporary or seasonal work in fishing, fish farming or seafood processing; temporary or seasonal work in the cultivation and harvesting of trees, and any other qualifying activity comprising a significant percentage of Migrant Education eligibility in any state. The study shall, while ensuring that the privacy of all individuals is protected, obtain collective information pertaining to family structure and lifestyle, migration patterns, effects on education, access to services, and relevant economic factors. The study shall attempt to define characteristics of children common to all eligibility categories and to distinguish characteristics unique to only a portion or to a single group. The Secretary shall report his findings to Congress by October 1, 1995.

(b) For purposes of this section, the Congress shall authorize the amount of $1,000,000.

PART E—PAYMENTS

SEC. 1404. PAYMENTS FOR STATE ADMINISTRATION

(a) IN GENERAL—The Secretary is authorized to pay to each State amounts equal to the amounts expended to it for the proper and efficient performance of its duties under this chapter (other than section 1021), except that the total of such payments in any fiscal year shall be the greater of the following:

MEP given minimum $100,000 administrative grant.

(1) 1 percent of the amount allocated to the State and its local educational agencies and to other State agencies as determined for that year under parts A and D, *excluding subpart 1, plus the greater amount of $100,000 or 1 percent of the amount allocated for Subpart 1 of part D; or*

(2) $325,000 *plus the greater amount of $100,000 or 1 percent of the amount allocated for subpart 1 of part D*, or $50,000 in the

Demographic/Ethnographic Study

The National Commission on Migrant Education questioned the inclusion of migratory fishermen in the eligible population, and one Commissioner also questioned the inclusion of persons working in the poultry industry. N.A.M.E. points out that both activities are clearly eligible, under existing statutory and regulatory provisions, provided that employment is seasonal or temporary. However, the Migrant Education Program alone of all programs established to serve migrants recognizes those categories of eligibility, and is also alone to admit children whose parents are temporarily or seasonally employed in timber harvesting, food processing or livestock production. The Commission, taking its cue from the Administrative Conference of the United States, recommended development of a common definition of migrant farmworkers, at least to facilitate data collection.

N.A.M.E. neither supports nor opposes the recommendation, and it opposes any effort to change eligibility categories for the Migrant Education Program without additional justification. N.A.M.E., because its primary concern is the education and well-being of migrant children, has reason to believe that migrant children qualifying because of poultry work, dairying or fishing share many of the characteristics and needs of the classic migrant farmworker family. But neither N.A.M.E. nor any other entity has compiled data on various eligibility categories and made systematic comparisons across categories. The only inkling comes from an ethnographic study conducted in 1987 which suggested that nontraditional migrants may be even more isolated than the traditional migrants.

Because of the dearth of reliable information and the aura of uncertainty about certain eligibility categories, N.A.M.E. believes the most responsible course of action is an objective study of the various occupational groups now eligible for the MEP. Some portion of this study would necessarily be demographic in nature, but the principal methodology should be ethnographic, the reporting from life by trained observers to obtain accurate descriptions of lifestyles, attitudes, effects of mobility on children, social interactions and access to services. This study, which would take about two years, could provide Congress a foundation on which to base future decisions about population groups to be include in or excluded from the Migrant Education Program.

State Administration

Because Migrant Education is a state grant program, it is reasonable to provide the state educational agency with sufficient capacity to administer the program effectively. The apparent intent of the state administrative payments under section 1404 was to provide this capacity, but in practice it does not work. The administrative burden on the states for operating a state grant program is proportionately much higher than for overseeing the Chapter 1 LEA program. There is a qualitative and quantitative difference between the two missions, yet the formula calls for 1 percent administrative funding for each. As a consequence, it was necessary early in the history of the MEP to obtain a General Counsel s ruling that funds from the state entitlement under section 1201 could be used for necessary administrative purposes.

N.A.M.E. strongly urges adoption of the $100,000 minimum state administrative funding for Migrant Education Programs to assure that every state has the capacity to carry out effective state leadership and be a viable part of a nationwide network of services for migrant children. This provision is closely linked to proposed new state requirements under section 1202(a)(1) and (2), which mandate that each state implement a statewide master plan for the education of migrant children. Such a bold new approach will require strong state leadership. Minimum state administrative funding will ensure that the capacity for state leadership is present; the new requirements under section 1202 will ensure that the administrative funds are clearly directed toward a comprehensive overall strategy to open up all programs and resources to migrant children.

States receiving an MEP allocation in excess of $10 million will be entitled to an administrative grant of more than $100,000, because the 1 percent formula would apply. An important new special provision directs SEAs to use all section 1404 funds generated by MEP (and other state grant programs) exclusively for the program generating the funds. Under the current statute, an SEA is not obligated to direct a proportionate amount of total administrative funds to Part D programs. Fortunately, most do, and some place additional amounts of Chapter 1 administrative funds at the use of the Migrant Education Program. This practice would also be permitted under the revised language.

The language allowing use of these funds for unique programmatic purposes makes it clear that they can be used in such areas as establishing statewide identification and enrollment systems, educating local school personnel on the characteristics and needs of migrant children, and coordinating with other programs and services to promote access for migrant children.

The limitation on indirect costs should not be changed.

case of Guam, American Samoa, the Virgin Islands, the Northern Mariana Islands, or the Trust Territory of the Pacific Islands.

(b) SPECIAL PROVISIONS—Each State receiving funds under Part D shall apply payments for Part D programs under this section to administration of Part O programs; each State, at its discretion, may utilize portions of additional payments under this section for administration of Part D programs. For purposes of this section, State administration of Part D programs may include programmatic activities unique to each Part D program.

(c) LIMITATION ON INDIRECT costs—Not more than. . . .

INCLUSION OF MIGRANT CHILDREN IN OTHER FEDERALLY SUPPORTED EDUCATION PROGRAMS

CHAPTER 1, PART B
EVEN START PROGRAMS

Increase the setaside for migrant children from the current 3 percent to 5 percent.

CHAPTER 1, PART C
SECONDARY SCHOOL PROGRAMS

Increase the setaside for migrant students from the current 3 percent to 5 percent.

CHAPTER 1, PART F
SUBPART 3—RURAL EDUCATION

Insert, in the final sentence of subsection 1456(b), following the words declining enrollment, the phrase districts enrolling significant numbers of migrant children.

TITLE II, PART A
EISENHOWER MATH/SCIENCE PROGRAM

Incorporate a 5 percent setaside for migrant students.

Even Start and Secondary Programs

When these programs were created in the 1988 Hawkins-Stafford bill, Congress wisely included a setaside for migrant children. Although the Secondary program has not been funded, the Even Start setaside for migrant families has produced some outstanding projects which have made a significant impact on the lives of hundreds of children and their parents. N.A.M.E. believes an increase in the setaside for both programs is easily justified. There is no readily identifiable population group with greater preschool educational needs and greater need for family literacy than migrants. Likewise, with a dropout rate of about 50 percent, migrant students should be prime recipients of services to assist in dropout reduction.

Rural education

This recommendation is based on the reality that migrant children are most likely to enroll in school in rural areas. Since this program provides assistance to rural schools, it is quite appropriate that in the training, consultation and other services provided that it take into account the impact of migrant children on rural schools and the capacity of such schools for serving this population in an effective manner.

Math/Science

N.A.M.E. insists that migrant students should not be excluded from the effort to make American students "first in the world in science and mathematics achievement" by the year 2000. There is no inherent reason for expecting migrant students to be any less capable of such achievement than any other students. However, unless their right to participate in and benefit from such initiatives as the Eisenhower program is clearly specified, they are in considerable danger of being overlooked in the planning of such projects. A setaside to ensure significant participation by migrant children is wholly justified.

TITLE IV, PART B
JAVITS GIFTED/TALENTED PROGRAM

Incorporate a 5 percent setaside for migrant students.

TITLE IV, PART C—ELLENDER FELLOWSHIPS
SUBPART 2—RECENT IMMIGRANTS

Reserve 10 percent of fellowships for migrant students.

TITLE VI, PART A—SCHOOL DROPOUT PROBLEMS

Amend section 6003 to reserve 5 percent of appropriations for projects in schools or districts enrolling a significant number (100 or more) or percentage (25 percent or higher) of migrant students.

TITLE VII—BILINGUAL EDUCATION
PART A, SECTION 7021

Reserve 10 percent of appropriations for projects in schools or districts enrolling a significant number (100 or more) or percentage (25 percent or higher) of migrant students.

TITLE III—ADULT EDUCATION PROGRAMS
PART C—ENGLISH LITERACY

Incorporate 5 percent setaside for migrant workers.

PART D—MIGRANT FARMWORKER PROGRAM

Amend eligibility provision to be consistent with eligibility definitions for the Migrant Education Program, i.e., parents of children eligible for the MEP shall be targeted. Require coordination with Chapter 1 MEP.

TITLE IX—STAR SCHOOLS PROGRAMS
SEC. 906—DISSEMINATION

Insert language specifying that Star Schools grantees assist in the distribution of programs developed by the Migrant Education Instructional Television Programming Service authorized under section 1203(b)(4).

Gifted and Talented

The National Commission on Migrant Education pointed out that the participation of migrant students in programs for gifted and talented is very low compared to the non-migrant population, with less than 1 percent of the migrant student population enrolled. The Commission notes difficulties arising from mobility, but indicates that the chief barriers seem to be preconceived stereotypes of migrants and low expectations among educators. Belying such perceptions are the scores of migrant students who have successfully completed, or are currently enrolled in, undergraduate and graduate study at the nation's most prestigious institutions, including Harvard, Stanford and MIT. Reserving a portion of the Javits funds for migrant students can be a means of identifying and assisting still more of the "best and the brightest" among migrants.

Ellender Fellowships

The Close-Up Foundation has opened the doors for migrant students to participate in its program of civic education. N.A.M.E. believes it consistent with the intent of the legislation, given that about 35 percent of migrant students were born outside the United States, to ensure that a minimum percentage of the Ellender fellowships in the Program for New Americans go to migrant students.

School Dropouts

The rationale here is the same as for the Chapter 1 Part C program: the dropout rate among migrant students is devastating, and migrant students certainly need support from every source if their chances for graduation are to be improved.

Bilingual Education

More than three-fourths of all migrant students are Hispanic, and perhaps a third of the remainder come from other language minority groups, such as Vietnamese or Haitian Creole. Not all of these children are Limited English Proficient, but many of them are, probably at least half of the total migrant child population. Demographic projections reported in the National Commission and RTI studies indicate that the number of migrant children with little or no command of English is likely to increase steadily the rest of the century.

It is appropriate for the Bilingual Education program, which is vitally concerned with assisting language minority students to acquire proficiency in English, to focus a dedicated portion of its resources on schools and locations where there are concentrations of LEP migrant students.

Adult Education

This program already has a commendable provision for adult migrant farmworkers. N.A.M.E. recommends that the program adapt its eligibility criteria to conform to those used in the Migrant Education Program to facilitate improved coordination between the two. In the program to promote English literacy for non-English-proficient adults, a setaside for migrant is appropriate and justified.

Star Schools

This recommendation is linked to the recommended Migrant Education Instructional TV service. The intent is to establish a relationship between the Migrant Education project and the Star Schools program in which Migrant Education is fully responsible for the development of programming for migrant students, i.e., content, and projects funded under the Star Schools programs have a role to play in the distribution of such programming through facilities that it has established. It is not intended that the fragmentary Star Schools network would be the sole vehicle for carrying Migrant Education programming, only that the Migrant Education service use Star Schools wherever possible. Star Schools grantees, under their existing mandate, can provide production facilities and satellite uplinks for the Migrant programming service, as well as downlinks at various project sites. The key principle is that migrant educators be responsible at all times for the content of programming over their network. This does not preclude Migrant Education from utilizing, where appropriate, programs developed by Star Schools grantees.

TABLE 1. ESTIMATED CHANGES IN STATE ALLOCATIONS FOR 1990-91 USING UNIQUE CHILD COUNT AS BASIS, ASSUMING SAME TOTAL ALLOCATION

STATE	UNIQUE COUNT OF STUDENTS	TOTAL FTE S	STUDENTS TO MAKE 1 FTE	EST. STATE ALLOCATION	CHANGE
AK	13,895	11,693.53	1.19	7,776,933	+ 3.5 %
AL	5,603	4,469.80	1.25	2,081,724	+ 8.7 %
AR	11,971*	9,886.23	1.21	4,456,903	+ 5.2 %
AZ	18,180	14,871.85	1.22	7,469,882	+ 6.1 %
CA	190,661	192,586.13	0.99	80,194,786	-13.9%
CO	5,361	4,159.29	1.29	2,658,558	+12.2 %
CT	3,749	3,127.53	1.20	2,097,448	+ 4.4 %
DC	141	135.50	1.04	78,798	- 9.6 %**
DE	1,133	931.20	1.22	619,163	+ 5.7 %
FL	58,789	45,539.71	1.29	26,398,853	+12.2 %
GA	6,422	5,636.07	1.14	2,414,145	- 0.9 %
ID	9,576-	7,871.19	1.22	3,577,811	+ 6.1 %
IA	959	417.42	2.30	437,598	+100.0 %
IL	3,524	3,550.47	0.99	1,678,281	-13.9 %
IN	2,981	2,362.04	1.26	1,249,141	+ 9.6 %
KS	8,418	7,304.33	1.15	3,703,236	0.0 %
KY	6,472	5,078.03	1.27	2,402,791	+10.4 %
LA	9,140	7,416.89	1.23	3,398,945	+ 7.0 %
MA	6,468	7,143.75	0.91	3,633,081	-20.9 %
MD	747	585.73	1.28	419,002	+11.3 %
ME	7,798	6,382.22	1.22	3,643,819	+ 6.1 %
MI	21,761	17,775.50	1.22	11,139,394	+ 6.1 %
MN	5,672	3,690.35	1.54	2,754,641	+33.9 %
MO	2,057	1,511.24	1.36	858,460	+18.3 %
MS	5,428	4,457.81	1.22	2,335,433	+ 6.1 %
MT	1,087	510.09	2.01	507,784	+74.8 %
NC	7,602	6,492.23	1.17	2,830,068	+ 1.7 %
ND	1,864	1,188.52	1.57	717,947	+36.5 %
NE	998	580.04	1.72	509,129	+49.6 %
NH	171	217.54	0.79	84,766	-31.3 %**
NJ	2,673	2,402.45	1.11	1,490,341	- 3.5 %
NM	3,444	2,824.15	1.22	1,385,499	+ 6.1 %
NV	1,719	1,363.38	1.26	691,207	+ 9.6 %
NY	9,274	9,879.01	0.94	5,189,789	-18.3 %
OH	4,633	2,644.25	1.75	2,043,432	+52.2 %
OK	2,996	2,280.21	1.32	1,121,133	+14.8 %
OR	16,826	13,772.70	1.22	8,856,197	+ 6.1 %
PA	4,975	4,814.00	1.03	2,712,387	-10.4 %
PR	14,430	12,104.78	1.19	2,955,603	+ 3.5 %
RI	270	245.07	1.10	150,658	- 4.3 %
SC	1,154	589.06	1.96	430,162	+70.4 %
SD	222	142.26	1.56	82,684	+35.7 %**
TN	558	432.65	1.29	207,943	+12.2 %
TX	123,507	96,133.75	1.28	48,191,199	+11.3 %
UT	1,622	1,983.76	0.83	613,457	-27.8 %
VA	1,225	785.93	1.56	562,289	+35.7 %
VT	1,297	1,187.69	1.09	723,499	- 5.2 %
WA	27,409	23,112.73	1.19	12,604,598	+ 3.5 %
WI	2,262	1,345.09	1.68	1,187,322	+46.1 %
WV	126	85.91	1.47	53,347	+27.8 %**
WY	731	371.81	1.97	409,351	+71.3 %

* Unique student count for AR is an estimate, based on reducing the official figure by 40 percent to account for children counted at Hope stopover site. Such children would not qualify as residents under proposed formula.

** Allocations for DC, NH, SD and WV would be $100,000 under proposed minimum entitlement. In actual allocation, all other state allocations would be ratably reduced to make up the difference (about 0.03 percent).

TABLE 2.

ESTIMATED REDISTRIBUTION OF ALLOCATIONS TO STATES FOR 1992-93 PROGRAM YEAR

STATE	UNIQUE COUNT OF STUDENTS	TOTAL FTE S	STUDENTS TO MAKE 1 FTE	CHANGE FROM ACTUAL
AK	15,642	13,776.13	1.135	+ 0.6 %
AL	5,943	4,735.53	1.255	+ 11.3 %
AR	11,481*	8,688.88	1.363	+ 20.8 %
AZ	18,969	15,713.59	1.207	+ 7.0 %
CA	209,006	213,193.62	.980	- 13.1 %
CO	5,864	4,573.73	1.282	+ 13.7 %
CT	3,658	3,643.32	1.004	- 11.0 %
DC	190	191.30	.993	- 11.9 %**
DE	1,152	961.05	1.199	+ 6.3 %
FL	59,195	46,676.29	1.268	+ 12.4 %
GA	7,733	7,076.44	1.093	- 3.1 %
IA	1,244	603.60	2.061	+ 82.8 %
ID	10,457	9,066.89	1.153	+2.2 %
IL	3,542	3,435.61	1.031	-8.6 %
IN	3,516	3,002.27	1.171	+3.8 %
KS	9,486	8,089.92	1.173	+4.0 %
KY	7,849	6,554.20	1.198	+6.2 %
LA	8,182	7,253.73	1.128	0.0
MA	6,463	6,984.42	.925	- 18.0 %
MD	744	532.02	1.398	+ 24.0 %
ME	8,561	6,893.03	1.242	+ 10.1 %
MI	22,600	20,357.71	1.110	- 1.6 %
MN	5,498	3,558.97	1.545	+ 37.0 %
MO	2,089	1,515.29	1.379	+ 22.3 %
MS	5,548	4,725.36	1.174	+ 4.1 %
MT	1,083	568.10	1.906	+ 69.0 %
NC	8,094	7,552.39	1.072	- 4.9 %
ND	1,775	1,111.66	1.597	+ 41.6 %
NE	1,461	884.80	1.651	+ 46.4 %
NH	166	217.30	.764	- 32.3 %**
NJ	2,500	2,205.47	1.134	+ 0.6 %
NM	3,987	3,218.80	1.239	+ 9.9 %
NV	1,758	1,382.30	1.272	+ 12.8 %
NY	9,951	10,951.19	.909	- 19.4 %
OH	5,199	2,983.96	1.742	+ 54.5 %
OK	3,103	2,391.16	1.298	+ 15.1 %
OR	19,484	16,269.28	1.198	+ 6.2 %
PA	5,643	5,935.35	.951	- 15.7 %
PR	17,387	13,431.05	1.295	+ 14.8 %
RI	272	272.92	.997	- 11.6 %
SC	1,119	580.26	1.928	+ 71.0 %
SD	255	186.88	1.365	+ 21.0 %**
TN	563	422.70	1.332	+ 18.1 %
TX	123,187	96,951.80	1.271	+ 12.7 %
UT	1,826	2,015.24	.906	- 19.7 %
VA	1,236	817.12	1.513	+ 34.2 %
VT	1,323	1,205.83	1.097	- 2.7 %
WA	29,576	24,962.55	1.185	+ 5.1 %
WI	2,287	1,341.14	1.705	+ 51.2 %
WV	94	57.73	1.628	+ 44.4 %**
WY	801	470.31	1.703	+ 51.0 %

*Unique count for AR estimated as in Table 1

**$100,000 minimum would apply to DC, NH, SD and WV.

TABLE 3

ESTIMATED REDISTRIBUTION OF ALLOCATIONS to STATES FOR 1992-93 PROGRAM YEAR

STATE	UNIQUE COUNT OF STUDENTS	TOTAL FTE S	STUDENTS TO MAKE 1 FTE	FUNDING INCREASE/DECREASE
AK	18,181	16,985.45	1.070	- 1.5 %
AL	6,209	4,994.21	1.243	+ 14.5 %
AR	11,847	9,050,41	1.309	+ 20.6 %
AZ	20,330	17,212.70	1.181	+ 8.8 %
CA	225,124	245,542.03	.917	- 15.5 %
CO	6,125	4,969.64	1.232	+ 13.5 %
CT	3,904	4,015.50	.972	- 10.5 %
DC	265	256.53	1.033	- 4.9 %*
DE	1,054	876.67	1.202	+ 10.7 %
FL	59,344	47,131.30	1.259	+ 16.0 %
GA	9,083	8,509.23	1.067	- 1.7 %
IA	1,206	619.90	1.945	+ 79.1 %
ID	11,025	9,891.85	1.115	+2.7 %
IL	3,446	3,421.43	1.007	-7.3 %
IN	4,594	3,965.03	1.159	+6.7 %
KS	11,260	9,853.78	1.143	+5.3 %
KY	9,453	9,405.55	1.005	-7.4 %
LA	7,793	7,559.84	1.031	-5.0 %
MA	6,727	7,286.43	.923	- 15.0 %
MD	697	496.30	1.404	+ 29.3 %
ME	8,945	7,267.62	1.231	+ 13.4 %
MI	23,827	21,995.92	1.083	- 0.3 %
MN	5,809	3,729.29	1.558	+ 43.5 %
MO	2,146	1,529.14	1.403	+ 29.2 %
MS	5,956	5,081.68	1.172	+ 7.9 %
MT	1,061	620.64	1.710	+ 57.5 %
NC	8,344	9,798.34	.852	- 21.5 %
ND	1,624	958.77	1.694	+ 56.0 %
NE	1,975	1,181.87	1.671	+ 53.9 %
NH	134	202.26	.663	- 38.8 %*
NJ	2,367	2,116.82	1.118	+ 3.0 %
NM	4,709	3,811.13	1.236	+ 13.8 %
NV	1,771	1,445.40	1.225	+ 12.8 %
NY	10,228	11,747.46	.871	- 19.8 %
OH	5,463	3,098.90	1.763	+ 62.3 %
OK	3,428	2,635.58	1.301	+ 19.8 %
OR	21,904	18,050.62	1.213	+ 11.7 %
PA	6,079	6,128.80	.992	- 8.6 %
PR	21,702	19,447.90	1.116	+ 2.8 %
RI	301	311.76	.965	- 11.1 %
SC	1,193	628.94	1.897	+ 74.7 %
SD	821	367.37	2.235	+105.8 %
TN	657	465.62	1.411	+ 30.0 %
TX	126,710	100,516.83	1.261	+ 16.1 %
UT	2,005	2,330.53	.860	- 20.8 %
VA	1,376	927 .28	1.484	+ 36.7 %
VT	1 395	1,942.14	.718	- 33.9 %
WA	31 508	26 ,829 .60	1.174	+ 8.1 %
WI	2,438	1,317.01	1.851	+ 70.7 %
WV	66	49.52	1.333	+ 22.8 %*
WY	594	378.80	1.568	+ 44.4 %

* $100, 000 minimuun would apply to DC, NH and WV

TABLE 4.
THREE-YEAR AVERAGES OF EFFECTS ON STATES OF REDISTRIBUTION OF MEP BASIC GRANTS ACCORDING TO PROPOSED CHILD-COUNT FORMULA

AK	+ 0.9 %	LA	+ 0.7 %	OH	+ 56.3 %
AL	+ 11.5 %	MA	- 18.0 %	OK	+ 16.6 %
AR	+ 15.5 %	MD	+ 21.5 %	OR	+ 8.0 %
AZ	+ 7.3 %	ME	+ 9.9 %	PA	- 11.6 %
CA	- 14.2 %	MI	+ 1.4 %	PR	+ 7.0 %
CO	+ 13.1 %	MN	+ 38.1 %	RI	- 9.0 %
CT	- 5.7 %	MO	+ 23.3 %	SC	+ 72.0 %
DC	- 8.8 %	MS	+ 6.0 %	SD	+ 54.2 %
DE	+ 7.6 %	MT	+ 67.1 %	TN	+ 20.1 %
FL	+ 13.5 %	NC	- 8.2 %	TX	+ 13.4 %
GA	- 1.9 %	ND	+ 44.7 %	UT	- 22.8 %
IA	+ 87.3 %	NE	+ 50.0 %	VA	+ 35.5 %
ID	+ 3.7 %	NH	- 34.1 %	VT	- 13.9 %
IL	-9.3%	NJ	+ 0.1 %	WA	+ 5.6 %
IN	+6.7%	NM	+ 9 9 %	WI	+ 56.0 %
KS	+ 3.1 %	NV	+ 11.7 %	WV	+ 31.7 %
KY	+3.1%	NY	- 19.2 %	WY	+ 35.6 %

States with net gain: 39 States with net loss: 12

TABLE 5.
CHARACTERISTICS OF MIGRANT EDUCATION PROGRAMS IN STATES MOST AFFECTED (THREE-YEAR AVERAGES)

5A. STATES WITH GREATEST POSITIVE IMPACT

STATE	PCT. GAIN	PCT. FUNDING FROM SUMMER FORMULA	PCT. FORMERLY MIGRANT IN UNIQUE COUNT OF CHILDREN
IA	87.5	9.0	11.2
SC	72.0	20.8	3.1
MT	67.1	28.6	1.6
OH	56.3	16.0	11.8
WI	56.0	14.5	15.1
WY	55.0	27.1	5.2
SD	54.2	16.1	26.0
NE	50.0	14.8	10.0
ND	44.7	28.6	1.8
MN	38.1	25.4	8.3
TEN-STATE AVERAGES:		19.7	9.4
NATIONAL AVERAGE:		12.2	45.3

5B. STATES WITH GREATEST NEGATIVE IMPACT

STATE	PCT. LOSS	PCT. FUNDING FROM SUMMER FORMULA	PCT. FORMERLY MIGRANT IN UNIQUE COUNT OF CHILDREN
NH	34.1	43.5	65.1
UT	22.1	33.2	41.3
NY	19.2	27.3	53.5
MA	18.0	20.4	77.3
CA	14.2	18.5	53.5
VT	13.9	16.2	65.5
PA	11.6	24.4	51.1
IL	9.3	28.9	46.1
RI	9.0	12.2	74.2
DC	8.8	8.0	65.8
TEN -STATE AVERAGES:		23.3	59.3
NATIONAL AVERAGE:		12.2	45.3

Of the states in the first group, all are receiving states, heavily impacted by currently migratory interstate children for two to six months of the year (spring to fall). Few migrants settle out in these states; their average ratio of formerly migratory students is one-fifth the national average. Even with the existing summer-school formula, they cannot generate enough funds to maintain quality programs, except for limited periods. Seven of the 10 are generally considered "small" states, presently receiving grants in the range of $300,000 or less. Additional funding through the proposed formula would not give any of them a massive amount of money, but would represent a significant improvement in their capacity to educate migrant children.

By contrast to the first group, the states in the second group comprise states with very large and very small MEP-eligible populations, and many at various stages in between. Their most common characteristic is that the current allocations are based heavily on FTEs generated by formerly migratory students and by summer school enrollments. States In this group not only generated summer school FTEs at a rate double the national average; they also generated them at a rate greater than the states in the first group, which for the most part provided traditional school-based summer programs to currently migrant children.

Expectations for the Education of Migrant Children and Youth

Our mission as educators of migrant children is to ensure that all efforts to achieve the National Education Goals will equitably include all migrant children.

Expectation One:
Migrant children should enter first grade fully prepared to learn and schools should be fully prepared to help them learn.

Expectation Two:
The cultural and language diversity represented by migrant students should be used positively and creatively within schools and communities.

Expectation Three:
Between 1992 and 2002, the number of migrant students graduating from high school should increase annually by 10 percent.

Expectation Four:
Migrant students should complete the elementary grades with mastery of critical skills in learning to read, write,, compute and think.

Expectation Five:
Migrant students should complete the middle school grades able to reason critically and understand the relevance to their lives the subject matter they are learning.

Expectation Six:
Migrant students entering high school should be able to complete their edcuations and graduate successfully.

Expectation Seven:
Migrant students would be provided stimulating learning experiences in science, mathematics, and technology education as they proceed through their school years.

Expectation Eight:
The academic achievement of migrant students should be at a level that will enable them upon graduation from high school, to be prepared for post-secondary education, employment or both.

Expectation Nine:
Migrant students who do not choose college should be provided school-to-work transition experiences so they leave high school prepared with the skills necessary to participate productively in the world of work and with the foundation required to upgrade their skills and advance their employment and career opportunities.

Expectation Ten:
Adults and out-of-school migrant youth should be provided quality experiences and opportunities to improve their literacy, basic education, and problem solving.

Expectation Eleven:
Migrant children should attend schools that are free of drugs and alcohol and where students are well nourished and healthy, feel safe, and learn in a supportive and caring environment.

Expectation Twelve:
Every state department of education should have a successful comprehensive strategy for migrant children and youth that provides a process to bring about quality,equity, and congruence in their education.

NATIONAL ASSOCIATION OF MIGRANT EDUCATORS

President's Office:
1110-B South Sixth Street
Sunnyside, WA 98944